

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0092 / Carson Ridge Development

P.C. PUBLIC HEARING DATE: October 13, 2009

ADDRESS: 6503 Carson Ridge

OWNER: Peter E. Barlin, 512-413-5896

AGENT: Shaw Hamilton Consultants (Shaw Hamilton), 512-791-0778

ZONING FROM: CS-NP

TO: CS-MU-NP

AMENDED TO: GR-MU-NP

SITE AREA: 4.3 acres (187,308 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from CS-NP (General Commercial Services – Neighborhood Plan) district zoning to GR-MU-CO-NP (Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan) zoning district. The Conditional Overlay would limit vehicle trips to less than 1,500 per day.

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated September 28, 2009, as provided in Attachment A.

SUMMARY PLANNING COMMISSION RECOMMENDATION: On October 13, 2009, Planning Commission *APPROVED* staff's recommendation for GR-MU-CO-NP zoning; was approved on the Consent Agenda by Commissioner Jay Reddy's motion, Commissioner Clint Small second the motion on a vote of 6-0; Commissioners Sandra Kirk and Dave Anderson were absent, 1 vacancy on the Commission.

ISSUES: On September 14, 2009, the Applicant amended the request from CS-MU-NP to GR-MU-NP.

DEPARTMENT COMMENTS: The 4.3-acre site is currently zoned CS-NP (General Commercial Services – Neighborhood Plan) district zoning and is located at the corner of Carson Ridge and Montopolis Drive. The configuration of the Carson Ridge/Montopolis Drive intersection limits driveway access to Carson Ridge, a local street that terminates at the east property line. The site lies within the Montopolis Neighborhood Plan and is surrounded by single family residences to the north, undeveloped land to the south, duplexes and undeveloped land to the west and Personal Improvement Services and Religious Assembly to the east.

The subject property is currently undeveloped. The applicant is requesting to add Mixed Use (MU) in order to build a mixed use project which will include a commercial and residential development. Additionally, the applicant is requesting to downzone the base district from CS (General Commercial Services district) to GR (Community Commercial district) at the request of the Montopolis Neighborhood Contact Team.

The staff recommendation is to approve the requested zoning change because it allows for reasonable use of the property. The down-zoning provides a better transition to the residential uses to the north and east. Also, providing mixed uses for this tract will allow for more creative site planning while keeping in mind the site constraints such as access and surrounding uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-NP	Undeveloped
<i>North</i>	SF-3-NP	Single family residences
<i>South</i>	GR-MU-CO-NP	Undeveloped
<i>East</i>	CS-NP	Personal Improvement Services / Religious Assembly
<i>West</i>	MF-3-CO-NP	Duplexes

NEIGHBORHOOD PLAN AREA: Montopolis Neighborhood Planning area

NTA: A Neighborhood Traffic Analysis is required. Please refer to Attachment A.

WATERSHED: Country Club East, Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Southeast Austin Trails & Greenbelt Alliance
 Home Builders Association of Greater Austin
 Southeast Austin Neighborhood Alliance
 Austin Neighborhoods Council
 Montopolis Area Neighborhood Alliance
 Homeless Neighborhood Association
 Austin Parks Foundation
 PODER People Organized in Defense of Earth & Her Resources
 Crossing Gardenhome Owners Assn. (The)
 Barton Springs/ Edwards Aquifer Conservation Dist.
 Austin Street Futbol Collaborative
 League of Bicycling Voters
 Montopolis Neighborhood Association
 East Riverside / Oltorf Neighborhood Plan Contact
 Super Duper Neighborhood Objectors and Appealers Organization
 United East Austin Coalition

SCHOOLS: (AISD)

- Allison Elementary School
- Martin Middle School
- Eastside Memorial High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2046 / 2800 BLOCK OF MONTOPOLIS DRIVE BOULDIN ZONING CHANGE	FROM LI TO MF-2	5/09/2000 – PC APVD MF-2 (6-0-2; BH/BB- ABSTAIN)	6/22/2000 APVD MF-2 ON 1ST RDG (5-2, SLUSHER/WYNN- NAY) 6/22/2001 – Case Expired; never scheduled for 2 nd /3 rd Reading.
C14-00-2264 / MONTOPOLIS DRIVE STONEBRIDGE APARTMENTS	FROM LO TO MF-3	2/27/2001 – PC APVD MF-3-CO (8-0); (300 UNITS)	3/29/2001 APVD MF- 3-CO LIMITED TO 312 UNITS (6-0-1, BG-ABSTAIN); ALL 3 RDGS
C14-01-0059 (SH) / 5901 - 6229 BLOCK OF E RIVERSIDE DR R.M.G. TRACT	FROM LI TO GR	6/26/2001 – PC APVD STAFF REC OF GR-MU & RR FOR FLOODPLAIN (8-0)	8/30/2001 APVD GR- MU-CO & RR (6-0); 2ND/3RD RDGS

RELATED CASES: The Montopolis Neighborhood Plan rezonings were approved by Council on September 27, 2001 and designated this property as CS-NP (C14-01-0060). A Neighborhood Plan Amendment to change the FLUM designation from Commercial to Mixed Use is also in process (NPA-2009-0005.01).

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Carson Ridge	57'	30'	Local	No	No	No
Montopolis Drive	varies	MAD 4	Arterial	No	338	Yes

CITY COUNCIL DATE:

November 19, 2009

ACTION:

The public hearing was closed and the first reading of the ordinance for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on consent on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

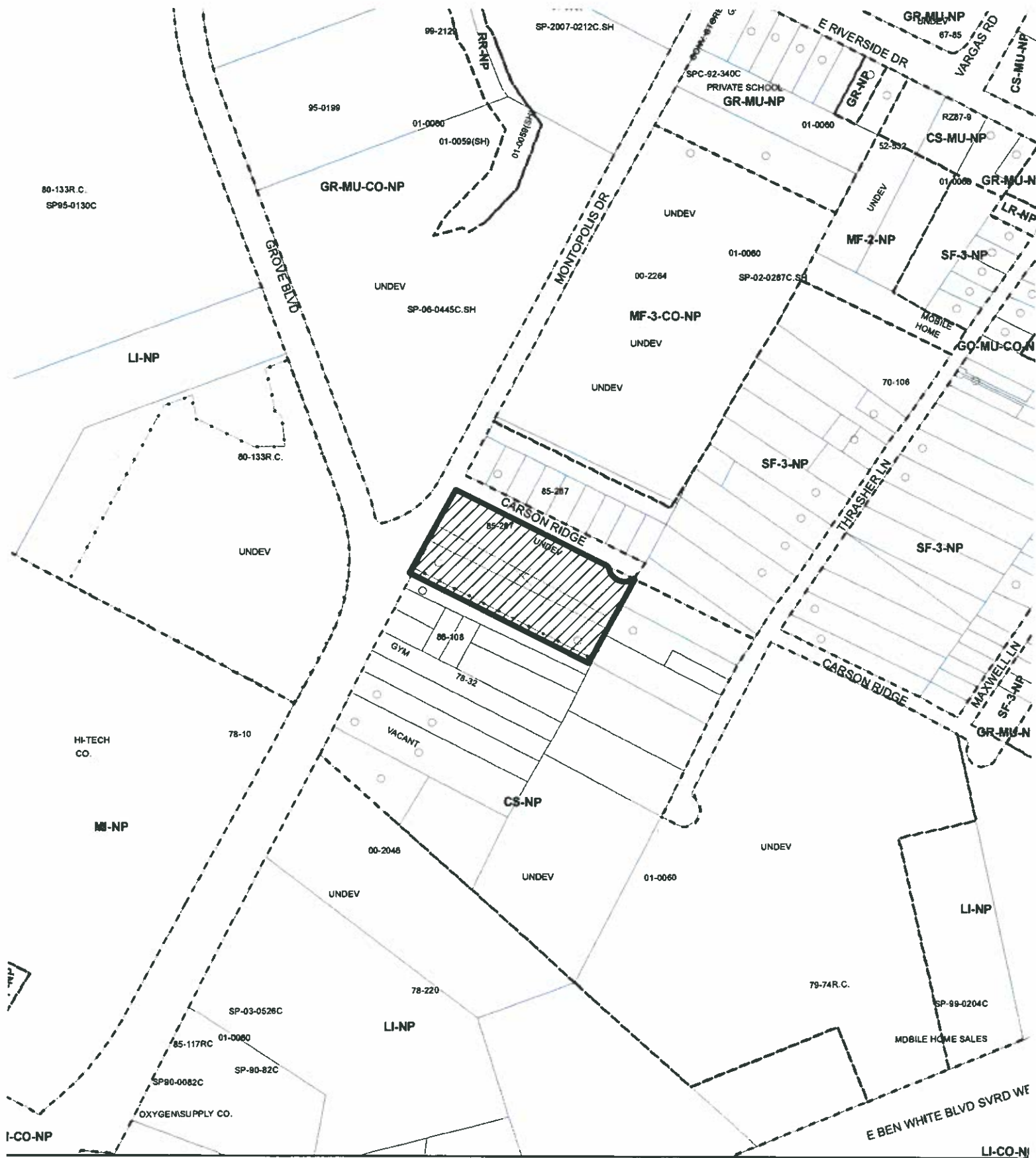
January 28, 2010

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

ZONING CASE MANAGER: Joi Harden

PHONE: 974-2122 **E-MAIL:** joi.harden@ci.austin.tx.us



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

1" = 400'

OPERATOR: S. MEEKS

ZONING

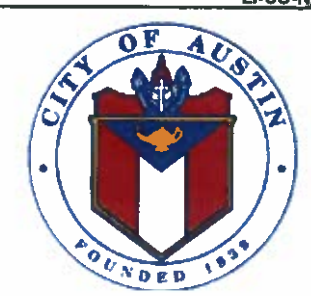
ZONING CASE#: C14-2009-0092

ADDRESS: 6503 CARSON RIDGE

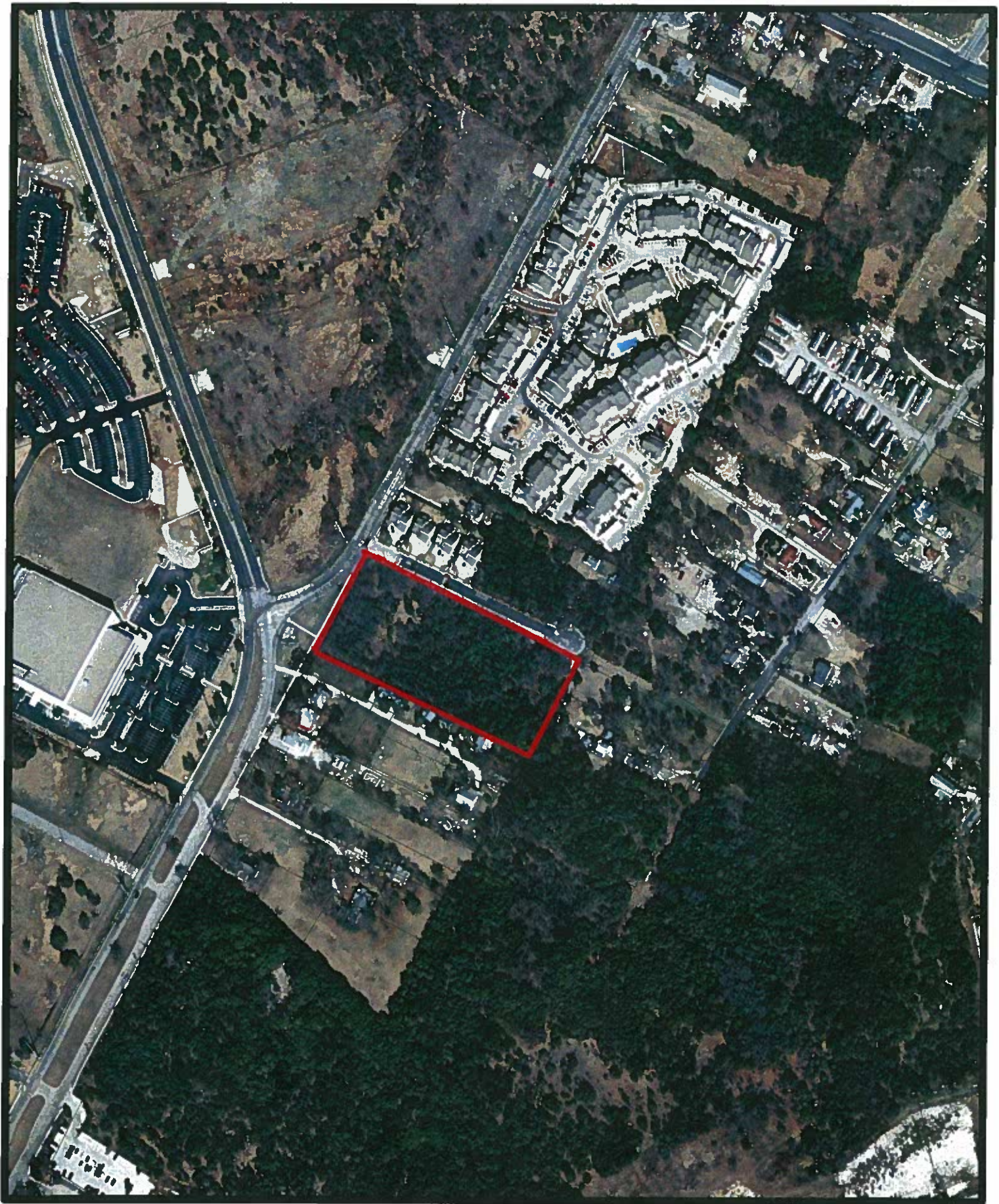
SUBJECT AREA: 4.3 ACRES

GRID: L18

MANAGER: J. HARDEN



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**C14-2009-0092 6503 Carson Ridge
From Commercial Services-Neighborhood Plan (CS-NP)
to Community Commercial-Mixed Use-
Conditional Overlay-Neighborhood Plan
(GR-MU-CO-NP) District Zoning**



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from CS-NP (Commercial Services – Neighborhood Plan) district zoning to GR-MU-CO-NP (Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan) zoning district. The Conditional Overlay would limit vehicle trips to less than 1,500 per day.

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated September 28, 2009, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

GR- Community Commercial district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

MU- Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. Allows development of all types of residential uses, including single-family residential, multifamily residential, and townhouses.

2. The proposed zoning should allow for reasonable use of the site.

GR-MU allows a fair and reasonable use for the site.

3. Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.

Staff has not granted a special privilege to this property owner as the proposed rezoning of this property is a more restrictive zoning category than what is existing, and is the same as that given to nearby owners. Properties across the street to the northwest, west and directly to the south contain the same or a more intensive zoning district.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped and heavily vegetated.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than zoning district's allowable impervious cover, the impervious cover is limited by watershed regulations as shown in the table below.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club East Watershed and the Carson Creek Watershed of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

Please see the Neighborhood Traffic Analysis attached at the rear of this staff report (Attachment A) dated September 28, 2009.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required per the change in use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan Review

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the North, South and Eastern property lines, the following standards apply:

- No structure may be built within 25 feet of the single-family used or zoned property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the single-family used or zoned property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the single-family used or zoned property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a site plan is submitted.



MEMORANDUM

TO: Joi Harden, Case Manager
CC: Members of the City Council
 Carson Ridge Development
FROM: Shandrian Jarvis, Transportation Planner
DATE: September 28, 2009
SUBJECT: Neighborhood Traffic Analysis for Carson Ridge
 Zoning Case # C14-2009-0092

The transportation section has performed a Neighborhood Traffic Impact Analysis for the above referenced case and offers the following comments.

The 4.3-acre tract is located in east Austin at the intersection of Montopolis Drive and Carson Ridge. The site is currently zoned Commercial Services/ Neighborhood Plan (CS-NP) and the tract remains vacant. It is surrounded by primarily vacant land with some retail services and multifamily apartments units along Montopolis Drive. A row of duplex homes is located across Carson Ridge to the north. The zoning request is for commercial services/mixed use/neighborhood plan (CS-MU-NP). In order to get a more accurate analysis of the impact of the site on Carson Ridge Drive, the neighborhood traffic analysis incorporates the entire site that will consist of approximately 187,308 square feet of office, retail, and residential uses.

Roadways

Carson Ridge would provide the only access to the site and is located on the north side of the property. It is classified as a local street since at least 50 percent of its frontage is zoned for SF-3 to SF-6 uses. Carson Ridge, also a *cul de sac*, has a right-of-way width of 57 feet and a pavement width of 30 feet. The street is not identified in the Bicycle Plan and it is not identified as a route in the Capital Metro transit system.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, the proposed 187,308 square feet mixed use development could generate up to 10,212 vehicle trips per day. However, since the applicant has agreed to limit the site to less than 1,500 trips per day, an overall trip limit of 1,500 vpd is assumed to be generated by the site.

Table 1 represents a breakdown of existing traffic, proposed site traffic, estimated total traffic after development and percentage increase in traffic on Carson Ridge.

Table 1.				
Street	Existing Traffic (vpd)	Proposed New Site Traffic	Overall Traffic	Percentage Increase in Traffic
Carson Ridge	126 ¹	1,500	1,626	1,190%

1. Source: GRAM Traffic Counting, Inc. September, 15, 2009.


It is assumed that approximately 100 percent (1,500 vpd) of the site traffic would access the property from the Carson Ridge entrance. Under this scenario, traffic on Carson Ridge would increase by approximately 1,190 percent.

According to Section 25-6-116 of the Land Development Code, streets which are between 30 and 40 feet in width are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadways exceeds 1,800 vehicles per day. In its current configuration, Carson Ridge is expected to operate at an acceptable level with the increase in volumes.

Recommendations/Conclusions

1. In order to minimize traffic on surrounding streets, the intensity and uses for this rezoning should be limited to less than 1,500 unadjusted vehicle trips per day. Development of this property should also be limited to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic analysis, including traffic distribution, roadway conditions, and other traffic related characteristics.
2. If the requested zoning is recommended for this site, 35 feet of right of way should be dedicated from the centerline of Carson Ridge in accordance with the Transportation Criteria Manual to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
3. All driveways would need to comply with current City of Austin Type II Commercial Driveway standards and would need to meet minimum requirements for driveway width; throat length, driveway spacing, offset, and curb return radii. The owner will be responsible for obtaining permit approval for the driveways prior to site plan approval.

If you have any questions or require additional information, please contact me at 974-2628.


 Shandrian Jarvis
 Senior Planner ~ Transportation Review
 Watershed Protection and Development Review Department

To: Planning Commission and City Council Members

Re: NPA-2009-0005.01-6503

Date: October 1, 2009

On September 10th, the Montopolis Neighborhood Planning Contact Team (MNPCT) held a meeting in accordance with our by-laws to discuss the future land-use amendment from CS-NP to CS-MU-NP. There were several members of the contact team and members of the community in attendance.

The owner and developer for this property presented their case before the Contact Team stating their intent to build townhomes and some small retail along Montopolis Drive. The Contact Team, while in favor of the intent to build single family townhomes on the property, we suggested to the developer that a zoning of Commercial Retail Mixed Use (GR-MU) would be more appropriate for their stated intent.

The conditions in Montopolis have changed significantly since the Neighborhood Plan was adopted and we see a need to expand single family ownership in the area. We do not believe the current zoning of Commercial Services is no longer appropriate for this area. For this reason, the contact team **unanimously voted to support a rezoning of this property from Commercial Services (CS-NP) to Commercial Retail Mixed Use (GR-MU)** *with the understanding the developer and owner follow through with their plan to build single family townhomes on this property.* We are **opposed to a rezoning of Commercial Mixed Use (CS-MU-NP)** at this time.

Larry Gross

MNPCT Vice-Chair

Email: doulos2k@gmail.com

Phone: 512-394-4596